

REMARKS

Applicants respectfully request further examination and reconsideration in view of the amendments above and the arguments set forth fully below. Claims 1-24 were previously pending in this application. By the above amendments, claims 1, 7, 14, and 19 are amended. Accordingly, claims 1-24 are currently pending.

Rejections Under 35 U.S.C. § 103

Within the Office Action, claims 1, 2, 4-7, 9-14, 16-20, and 22-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,535,586 issued to Cloutier et al. (hereinafter “Cloutier”) in view of U.S. Patent No. 6,289,212 issued to Stein et al. (hereinafter “Stein”). The Applicants respectfully traverse this rejection.

Cloutier teaches a system to provide messaging services to alert a message service subscriber to the receipt of a high priority message and to provide the remote retrieval thereof. An email server 110 stores email messages received over the internet 130 (Cloutier, col. 1, lines 26-27). A messaging system server 120 provides access to the email server 110 via the internet 130 such that notification of high priority email messages received on the email server 110 are provided by transmitting a wireless message to a wireless device 170 used by the subscriber (Cloutier, col. 3, lines 62-66). The messaging system server 120 periodically polls the email server 110 for new messages, and if a new message is received, then a unique message code corresponding to the new message is generated by the messaging system server 120 (Cloutier, col. 4, line 63 to col. 5, line 4). The unique message code is sent from the messaging system server 120 to the wireless device 170 used by the subscriber (Cloutier, col. 5, lines 17-22). To retrieve the new message, the subscriber accesses the messaging system server 120 using an access device 190 connected via a user interface 140 (Cloutier, col. 4, lines 26-38).

Stein teaches a system to provide email services across a network. A mobile device 200 is coupled to a network gateway 106 via a wireless network 108. The network gateway 106 is coupled to a mail server 110. The mobile device 200 is used to perform email functions associated with the mail server 110. In order to perform these functions, the mobile device 200 must first download corresponding resources from the mail server 110 to the mobile device memory 204. These resources include email message lists, contents of the messages, menu and data entry screens (Stein, col. 8, lines 3-7). These resources need to be requested by the mobile device 200 before they are downloaded from the mail server 110 (Stein, col. 7, lines 12-36; col. 8, lines 13-16). In other words, Stein teaches

that a message content list (the email message list) is requested by the mobile device 200 and provided by the mail server 110. The mobile device 200 must specifically request the resource from the mail server 110.

Within the Office Action, it is acknowledged that Cloutier does not teach a message alert being a mailbox content list, and that such a mailbox content list is received by the wireless device, but that Stein does teach such a limitation. Such a proposed combination necessitates the functionality of Stein in order to provide a mailbox content list. In this regard, Stein teaches that a mailbox content list is requested only when the mobile device 200 initiates such a request. In response, the mail server 110 provides the mailbox content list to the mobile device. Stein does not teach that the mail server 110 independently determines when to transmit the mailbox content list to the mobile device 200.

In contrast, the amended independent claims 1, 14, and 19 includes the limitation “the server independently determines if and when to transmit the updated mailbox content list,” and the amended independent claim 7 includes the limitation “the server determines if and when an updated mailbox content list is sent by the server to the wireless device.” Since Cloutier does not teach a mailbox content list, and Stein teaches a mailbox content list that is requested by the wireless device, neither Cloutier, Stein, nor their combination teach that the server independently determines when to transmit the updated mailbox content list, as claimed. For at least this reason, the amended independent claims 1, 7, 14, and 19 are allowable over Cloutier, Stein, and their combination.

Claims 2 and 4-6 are all dependent upon the independent claim 1. As discussed above, the independent claim 1 is allowable over the teachings of Cloutier in view of Stein. Accordingly, claims 2 and 4-6 are each also allowable as being dependent upon an allowable base claim.

Claims 9-11 are dependent on the independent claim 7. As discussed above, the amended independent claim 7 is allowable over Cloutier, Stein, and their combination. As such, the dependent claims 9-11 are each also allowable as being dependent on an allowable base claim.

Claims 16-18 are all dependent upon the independent claim 14. As discussed above, the independent claim 14 is allowable over the teachings of Cloutier, Stein, and their combination. Accordingly, claims 16-18 are all also allowable as being dependent upon an allowable base claim.

Claims 20 and 22-24 are all dependent upon the independent claim 19. As discussed above, the independent claim 19 is allowable over the teachings of Cloutier, Stein, and their combination. Accordingly, claims 20 and 22-24 are all also allowable as being dependent upon an allowable base claim.

Within the Office Action, claims 3, 8, 15, and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cloutier in view of Stein and further in view of Applicants Admitted Prior Art. The Applicants respectfully traverse this rejection.

Applicants agree that low data-bandwidth and high data latency networks are known in the art. However, the Applicants do not agree that the methods of claims 1 and 14, and the systems of claims 7 and 19, including a low data bandwidth, high data latency wireless network, as claimed in dependent claims 3, 8, 15, and 21, are well known in the art.

Further, claim 3 is dependent on the independent Claim 1. Claim 8 is dependent on the independent claim 7. Claim 15 is dependent on the independent claim 14. Claim 21 is dependent on the independent claim 19. As discussed above, the independent claims 1, 7, 14, and 19 are each allowable over Cloutier, Stein, and their combination. As such, the dependent claims 3, 8, 15, and 21 are each also allowable as being dependent on an allowable base claim.

For at least the reasons given above, Applicants respectfully submit that all of the pending claims are now in condition for allowance, and allowance at an early date would be greatly appreciated. If the Examiner should have any questions or comments, he is encouraged to call the undersigned at (408) 530-9700 so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
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Dated: 1-26-07

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CERTIFICATE OF MAILING (37 CFR § 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

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